



# BOARD OF COMMISSIONERS

1 S. Main St., 9th Floor  
Mount Clemens, Michigan 48043  
586-469-5125 FAX 586-469-5993  
macombcountymi.gov/boardofcommissioners

## HEALTH SERVICES COMMITTEE

THURSDAY, MARCH 13, 2008

### AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Adoption of Agenda, **AS AMENDED, TO INCLUDE #6A**
4. Approval of Minutes dated 11-27 (special), 11-28 (special) and 11-30-07 (special) (previously distributed)
5. Public Participation
6. Report from Water Quality Board (mailed)
- 6a. Draft Copy of Ordinance to Ban Lawn Fertilizer Containing Phosphorous in Macomb County (attached)
7. S.W.I.M. Team Report for January, 2008 (mailed)
8. Prosecutor's Environmental Unit Report for February, 2008 (mailed)
9. Report on Role and Functions of Animal Shelter (mailed)
10. Recommendation to Suspend West Nile Virus Community Assistance Program (mailed)
11. Authorize Health Dept. to Apply for Environmental Protection Agency Grant for Collection of Unwanted Household Medicines and Electronic Waste (mailed)
12. Authorize Health Dept. to Apply for Michigan Dept. of Environmental Quality Grant for Lake St. Clair Shoreline Water Quality Monitoring (mailed)

## MACOMB COUNTY BOARD OF COMMISSIONERS

William A. Crouchman  
District 23  
Chairman

Dana Camphous-Peterson  
District 18  
Vice-Chair

Leonard Haggerty  
District 21  
Sergeant-At-Arms

Andrey Duzyj - District 1  
Marvin E. Sauger - District 2  
Phillip A. DiMaria - District 3  
Jon M. Switalski - District 4  
Susan L. Doherty - District 5

Joan Flynn - District 6  
Sue Rocca - District 7  
David Flynn - District 8  
Robert Mijac - District 9  
Philis DeSaele - District 10

Ed Szczepanski - District 11  
Peter J. Lund - District 12  
Don Brown - District 13  
Brian Brdak - District 14  
Keith Rengert - District 15

Carey Torrice - District 16  
Ed Bruley - District 17  
Paul Gielegem - District 19  
Kathy Tocco - District 20

Betty Slinde - District 22  
Sarah Roberts - District 24  
Kathy D. Vosburg - District 25  
Leon Drolet - District 26

**HEALTH SERVICES COMMITTEE  
AGENDA  
MARCH 13, 2008**

**PAGE 2**

13. Authorize Health Dept. to Apply for Michigan Dept. of Environmental Quality Grant for Inland Lake Beach Monitoring (mailed)
14. Authorize Health Dept. to Apply for Michigan Dept. of Environmental Quality Grant for Clinton River Water Monitoring (mailed)
15. Adopt Resolution Declaring April 7-13, 2008 as Public Health Week in Macomb County (offered by Board Chair) (mailed)
16. New Business
17. Public Participation
18. Adjournment

**MEMBERS:** DeSaele-Chair, Camphous-Peterson-Vice-Chair, Rocca, J. Flynn, Roberts, Torrice, Switalski, Drolet, Rengert, Mijac, Brdak, Gielegghem, Doherty and Crouchman (ex-officio)

RESOLUTION NO. \_\_\_\_\_

MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Receive and file a report of the Macomb County Water Quality Board

INTRODUCED BY: Commissioner Phillis DeSaele, Chairperson, Health Services Committee

The Macomb County Water Quality Board met on February 12, 2008. Because of the inclement weather a quorum was not present. Nevertheless, because presenters who were to speak relative to the proposed dredging of the Clinton River were present as were representatives of the Army Corps of Engineers, the presentations were made. The private company Tornado Motion Technologies, LLC spoke to their hydraulic dredging capabilities and of their work on the St. Clair River for Dow Chemical. Staff of U.S.G.S. presented data relative to contaminants found in the area of the river to be dredged. Mr. Wayne Schloop of the Army Corps spoke to plans for the dredging.

COMMITTEE / MEETING DATE

Health Services – March 13, 2008

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\_\_\_\_\_

# **RECYCLABLE PAPER**

RESOLUTION NO. \_\_\_\_\_

MEETING DATE: \_\_\_\_\_

AGENDA ITEM:

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Receive and file a draft copy of "Ordinance to Ban Lawn Fertilizer Containing Phosphorous in Macomb County"

INTRODUCED BY: Commissioner Philis DeSaele, Chairperson, Health Services Committee

The Macomb County Water Quality Board at its meeting of March 11, 2008, through resolution, conveys this draft "Ordinance to Ban Lawn Fertilizer Containing Phosphorous in Macomb County." The Water Quality Board, over the last several years, has dealt with the issue of the detrimental effect of phosphorous in fertilizers on the water quality of the lake and its tributaries and supports such an ordinance.

COMMITTEE/MEETING DATE

Health Services –March 13, 2008

\_\_\_\_\_  
\_\_\_\_\_

**MACOMB COUNTY BOARD OF COMMISSIONERS**

**ORDINANCE NO. \_\_\_\_**

**TITLE: ORDINANCE TO BAN LAWN FERTILIZER CONTAINING  
PHOSPHORUS IN MACOMB COUNTY**

**APPROVAL DATE: \_\_\_\_\_, 2008**

**PUBLISH DATE: \_\_\_\_\_, 2008**

**1. Authority**

This Ordinance is adopted under the authority of MCLA 46.10b.

**2. Purpose and Intent**

The Macomb County Board of Commissioners finds that Macomb County's lakes, rivers and streams are natural assets, which enhance the environmental, recreational, cultural and economic resources of the area and contribute to the general health and welfare of the public. The Board further finds that regulating the amount of nutrients and contaminants, including phosphorus contained in lawn fertilizer, entering the lakes, rivers and streams of Macomb County will improve and maintain lake and stream water quality by reducing algae blooms and the excess growth and spread of other aquatic plants. The Macomb County Board of Commissioners finds that unreasonable adverse effects on the environment of Macomb County and on the public health of the citizens of Macomb County and the visitors to Macomb County will occur unless this Ordinance is adopted to ban and/ or control the use of lawn fertilizers containing phosphorus.

**3. Applicability**

(a) This Ordinance applies in all areas of Macomb County.

(b) Townships, cities and villages wholly or partially in Macomb County may assume administration and regulation of lawn fertilizer application if they have adopted ordinances that includes standards at least as restrictive as those described in Sections 5 through 9.

**4. Definition**

(a) "Agriculture uses" means beekeeping, dairying, egg production, floriculture, fish or fur farming; forest and game management; grazing; livestock raising; orchards; plant greenhouses and nurseries; poultry raising; raising of grain, grass, mint and seed crops; raising of fruits, nuts, berries, sod farming and vegetable raising.

(b) Fertilizer has the meaning in MCLA 324.8501(l).

(c) "Lawn fertilizer" means any fertilizer, whether applied by property owner, renter or commercial entity, intended for nonagricultural use, such as for lawns, golf courses, parks and cemeteries. Lawn fertilizer does not include fertilizer products intended primarily for garden or indoor use.

## **5. Regulation of the Use and Application of Lawn Fertilizer**

(a) Effective January 1, 2009, no person shall apply any lawn fertilizer within Macomb County that is labeled as containing more than 0% phosphorus, except as provided in Section 6 of this Ordinance.

(b) No lawn fertilizer shall be applied when the ground is frozen.

(c) No person shall apply lawn fertilizer to any impervious surface including parking lots, roadways, and sidewalks. If such application occurs, the fertilizer must be immediately removed from those surfaces and either legally applied to turf or placed in an appropriate container.

## **6. Exemptions**

The restrictions upon the use of lawn fertilizer under Section 5 of this Ordinance shall not apply to:

(a) Newly established turf or lawn areas during their first growing season.

(b) Turf or lawn areas that soil tests, performed within the past three years by the Michigan State University Extension Service or other qualified or recognized authority in the area of soil analysis, confirm are below phosphorus levels established by the Michigan State University Extension Service. The lawn fertilizer application shall not contain an amount of phosphorus exceeding the amount and rate of application recommended in the soil test evaluation.

(c) Agricultural uses, vegetable and flower gardens, or application to trees or shrubs.

(d) Yard waste compost, bio-solids or other similar materials that are primarily organic in nature and are applied to improve the physical condition of the soil.

## **7. Sale of Lawn Fertilizer Containing Phosphorus**

(a) Effective January 1, 2009, no person shall sell or offer for sale any lawn fertilizer within Macomb County that is labeled as containing more than 0% phosphorus, such as phosphate, except such fertilizer may be sold for use as provided in Section 6.

(b) Effective January 1, 2009, no person shall display lawn fertilizer containing phosphorus. Signs may be posted advising customers that lawn fertilizer containing phosphorus is available upon request for uses permitted by Section 6.

(c) Effective January 1, 2009, a sign containing the regulations set forth in this ordinance and the effects of phosphorus on Macomb County's waters must be prominently displayed where lawn fertilizers are sold.

#### **8. Enforcement**

The Environmental Health Division of the Macomb County Health Department will enforce this Ordinance.

#### **9. Civil Infraction Penalties; Injunctive Relief**

Any person who violates Section 5 in the application of lawn fertilizer at his or her residence shall be subject to a civil infraction penalty of one-hundred (\$100) dollars per violation. Any commercial fertilizer applicator, residential or commercial developer, industrial or commercial owner, or other person who violates Section 5, and any person who violates Section 7 shall be subject to a civil infraction penalty of \$150 for the first violation within a twelve (12) month period, \$250.00 for the second violation within a twelve (12) month period, and \$500.00 for the third and each subsequent violation within a twelve (12) month period. The repeated use of lawn fertilizer in violation of this Ordinance may also be declared a nuisance, subject to injunctive and other equitable relief in the Macomb County Circuit Court.

#### **10. Effective Date**

This Ordinance was approved and adopted by the Macomb County Board of Commissioners on \_\_\_\_\_, 2008 and shall be effective on January 1, 2009.

Date: \_\_\_\_\_

\_\_\_\_\_  
William A. Crouchman, Chairperson  
Macomb County Board of Commissioners

#### **CERTIFICATION**

I hereby certify that the above Ordinance No. \_\_\_\_\_ was duly adopted by the Macomb County Board of Commissioners at a regular meeting on \_\_\_\_\_, 2008.

Date: \_\_\_\_\_

\_\_\_\_\_, Macomb County Clerk



# **RECYCLABLE PAPER**

RESOLUTION NO. \_\_\_\_\_

MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Receive and file the Surface Water Improvement and Monitoring (SWIM) Team report for January 2008.

INTRODUCED BY: Commissioner Philis DeSaele, Chairperson, Health Services Committee

The January 2008 Surface Water Improvement and Monitoring (SWIM) Team report summarizes surface water monitoring, bathing beach monitoring, investigatory and educational activities of the SWIM Team for the month of January 2008.

COMMITTEE/MEETING DATE

Health Services – March 13, 2008

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**MACOMB COUNTY HEALTH DEPARTMENT  
ENVIRONMENTAL HEALTH SERVICES DIVISION  
SURFACE WATER IMPROVEMENT AND MONITORING "SWIM" TEAM  
MONTHLY REPORT JANUARY 2008**

**Mission:** Monitoring, educational, investigatory and enforcement activities toward achieving the goal of all Macomb County surface waters being in compliance with full body contact standards.

**Surface Water Monitoring:** 62 sampling locations were monitored this month for *E. coli* indicator bacteria. The monitoring for January 2008 indicates that 36 % of the sampling locations show improvement over the historical January data. See the attached data summary.

**Bathing Beach Monitoring:** Monitoring for the 2008-bathing season will resume in April.

**SWIM Team Investigations:**

	<u>January 2008</u>	<u>Year-To-Date</u>
Investigations Initiated	2	2
Cases Referred to Prosecutors Office	0	0
Investigations Resolved	2	2
Open Cases - 2008	0	
Open Cases from 2007	29	
Open Cases from 2006	9	
Open Cases from 2005	6	
Open Cases from 2004	7	
Open Cases from 2003	5	
Open Cases from 2002	0	
Open Cases from 2001	1	

\*Investigations are initiated by citizen complaint, municipal referral or as an outcome of water quality monitoring results.

**Education and Public Information:**

A radon informational display was set-up in the lobbies of all three (3) Health Department offices during January. Thirty-one Water Quality and Household Hazardous Waste Presentations were given to 837 students at the following locations:

4 <sup>th</sup> & 5 <sup>th</sup> Grade	MacDonald Elementary	Casco Township (Anchor Bay)
8 <sup>th</sup> Grade	Lanse Creuse Middle School East	Chesterfield Township
1 <sup>st</sup> & 3 <sup>rd</sup> Grade	Crescentwood Elementary	Eastpointe
2 <sup>nd</sup> Grade	Woodland Elementary	Eastpointe
6 <sup>th</sup> Grade	Burr Elementary School	Sterling Heights
2 <sup>nd</sup> & 3 <sup>rd</sup> Grade	Holden Elementary	Sterling Heights
7 <sup>th</sup> Grade	Beer Middle School	Warren

**MACOMB COUNTY HEALTH DEPARTMENT  
ENVIRONMENTAL HEALTH SERVICES DIVISION  
SURFACE WATER IMPROVEMENT AND MONITORING "SWIM" TEAM  
MONTHLY REPORT FOR JANUARY 2008**

**SWIM TEAM INVESTIGATIONS**

<b>Municipality</b>	<b>Jan-08 Investigations Initiated</b>	<b>Jan-08 Year To Date</b>
Armada Township	1	1
Armada Village	0	0
Bruce	0	0
Center Line	0	0
Chesterfield	0	0
Clinton	0	0
Eastpointe	0	0
Fraser	0	0
Harrison	0	0
Lenox	0	0
Macomb	0	0
Memphis	0	0
Mt. Clemens	0	0
New Baltimore	0	0
New Haven	0	0
Ray	0	0
Richmond Township	0	0
Richmond City	0	0
Romeo	0	0
Roseville	0	0
St. Clair Shores	0	0
Shelby	1	1
Sterling Heights	0	0
Utica	0	0
Warren	0	0
Washington	0	0
<b>Total #</b>	<b>2</b>	<b>2</b>

**Macomb County Health Department**  
**Environmental Health Services Division**  
**Retention Basin/Combined Sewer/Sanitary Sewer Overflows**  
For the dates 1-1-08 thru 1-31-08

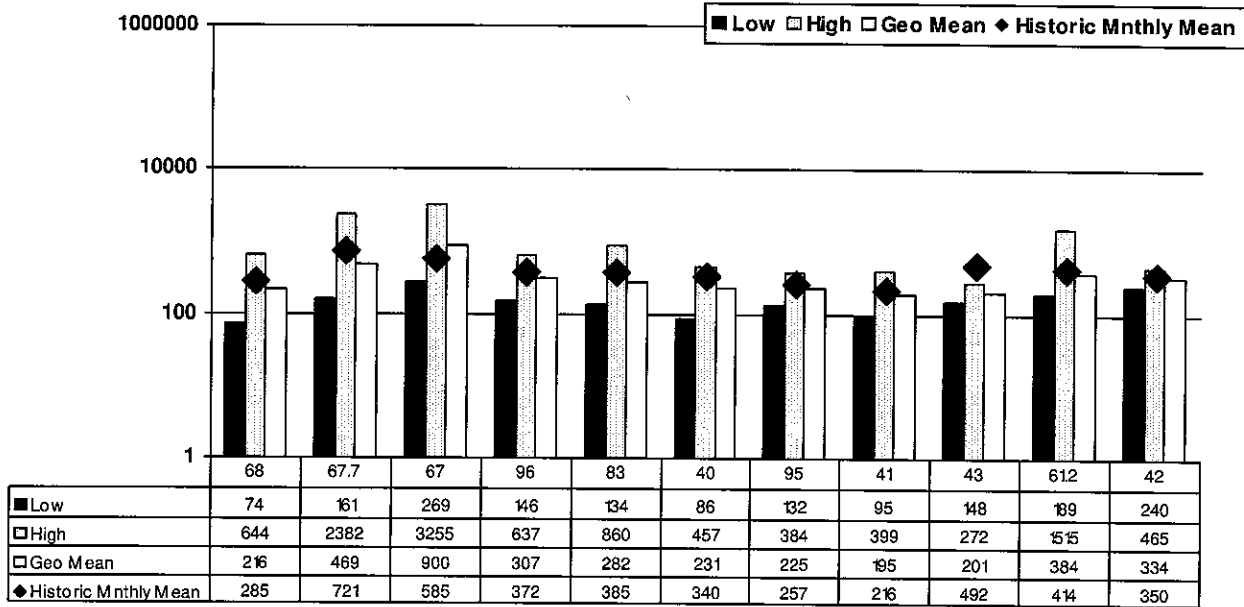
Start	Start Time	End	End Time	Hours	Gallons	Receiving Water	Meets NPDES	Precipitation	Type
<b>FRASER</b>									
1/2/2008	7:45	1/2/2008	8:55	1.17	154,857	SWEENEY DRAIN	N	0	SSO
<b>SubTotals for FRASER</b>				1.17	154,857			0	
<b>MARTIN RTB</b>									
1/9/2008	6:40	1/9/2008	12:30	5.8	6,730,000	LAKE ST. CLAIR	Y	1.1	CSO-T
<b>SubTotals for MARTIN RTB</b>				5.8	6,730,000			1.1	
<b>MILK RIVER RTB</b>									
1/9/2008	1:05	1/9/2008	18:47	3.8	34,036,530	LAKE ST. CLAIR	Y	1.79	CSO-T
1/10/2008	15:27	1/10/2008	16:13	0.77	8,464,000	LAKE ST. CLAIR	Y	0.16	CSO-T
1/11/2008	1:02	1/11/2008	2:15	1.22	9,015,500	LAKE ST. CLAIR	Y	0.24	CSO-T
<b>SubTotals for MILK RIVER RTB</b>				5.79	51,516,030			2.19	
<b>SOCSDS RTB</b>									
1/9/2008	1:00	1/9/2008	8:12	7.2	75,000,000	RED RUN DRAIN	Y	1.1	CSO-T
<b>SubTotals for SOCSDS RTB</b>				7.2	75,000,000			1.1	
<b>WARREN</b>									
1/9/2008	11:45	1/11/2008	16:00	52.25	30,000,000	RED RUN DRAIN	Y	1.68	BOF
<b>SubTotals for WARREN</b>				52.25	30,000,000			1.68	
<b>Total all locations</b>				72.21	163,400,887				

**5 HIGHEST E. COLI SURFACE WATER SAMPLING SITES**  
**(January, 2008)**

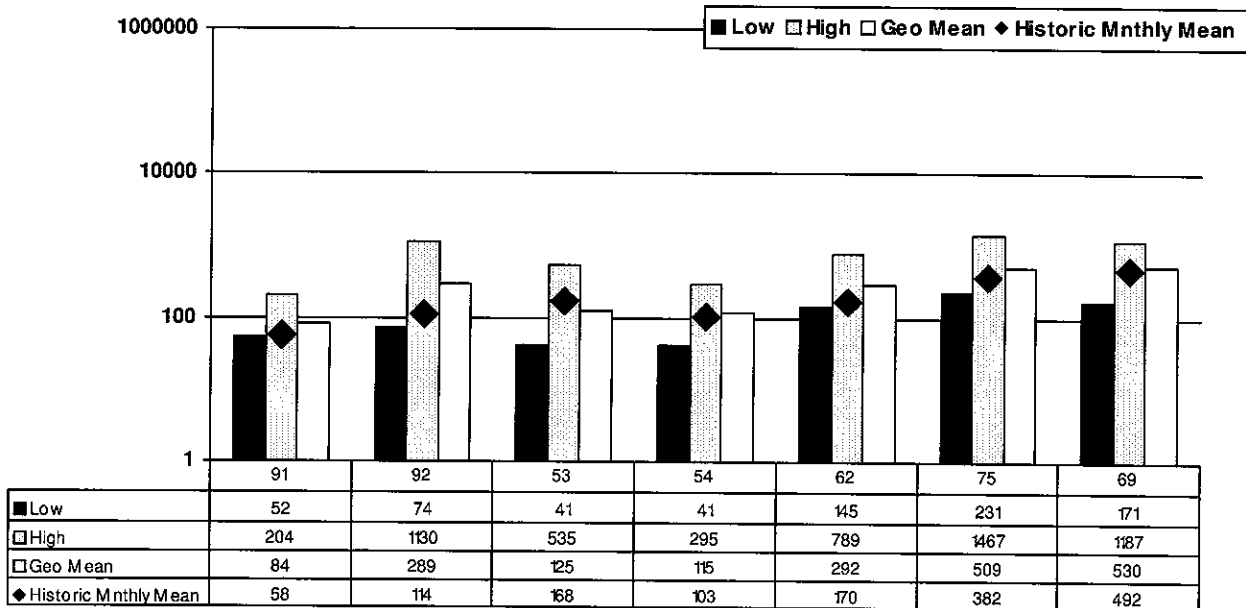
<b>Sample #</b>		<b>Location</b>	<b>E. coli/100 mL</b> <b>(Geo Mean)</b>
1	39.1	Marsac Drain at M-29	3655
2	56	Red Run Drain at 14 Mile Rd.	2806
3	82	Bear Creek at Old 13 Mile Rd.	1737
4	72	Sterling Relief Drain Behind Freedom Hill	1717
5	81	Bear Creek at Mound Rd.	1587

**Macomb County Health Department  
Environmental Health Services Division  
Monthly Compare Results  
1/1/2008 -1/31/2008**

**Clinton River Main Branch Watershed-EAST**

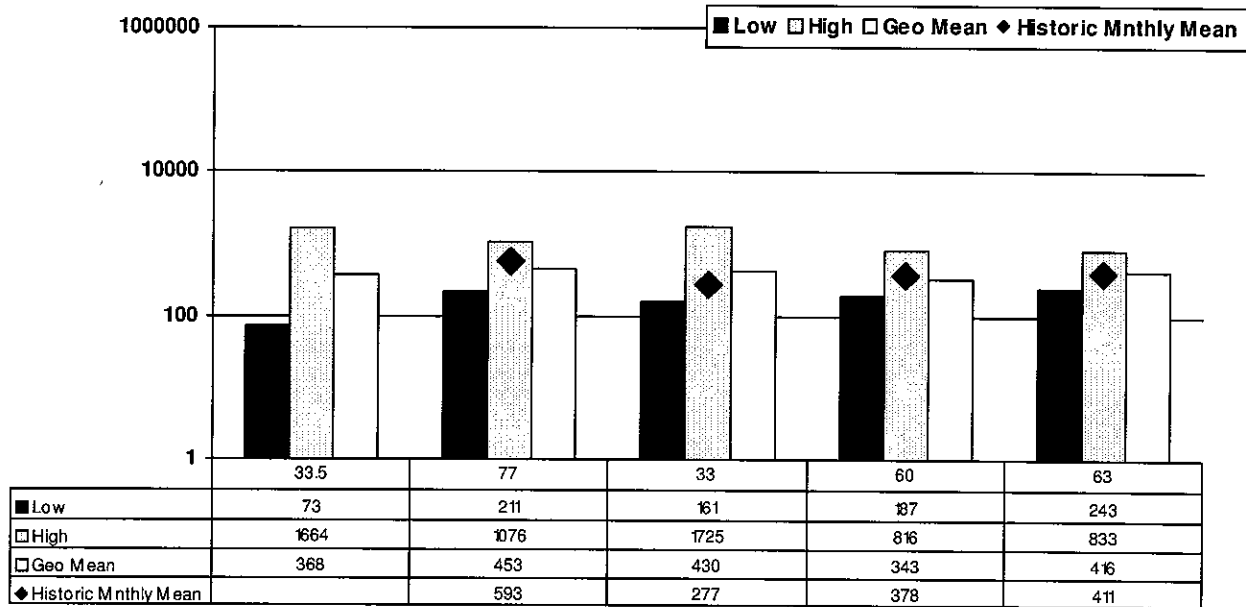


**Clinton River Main Branch Watershed-WEST**

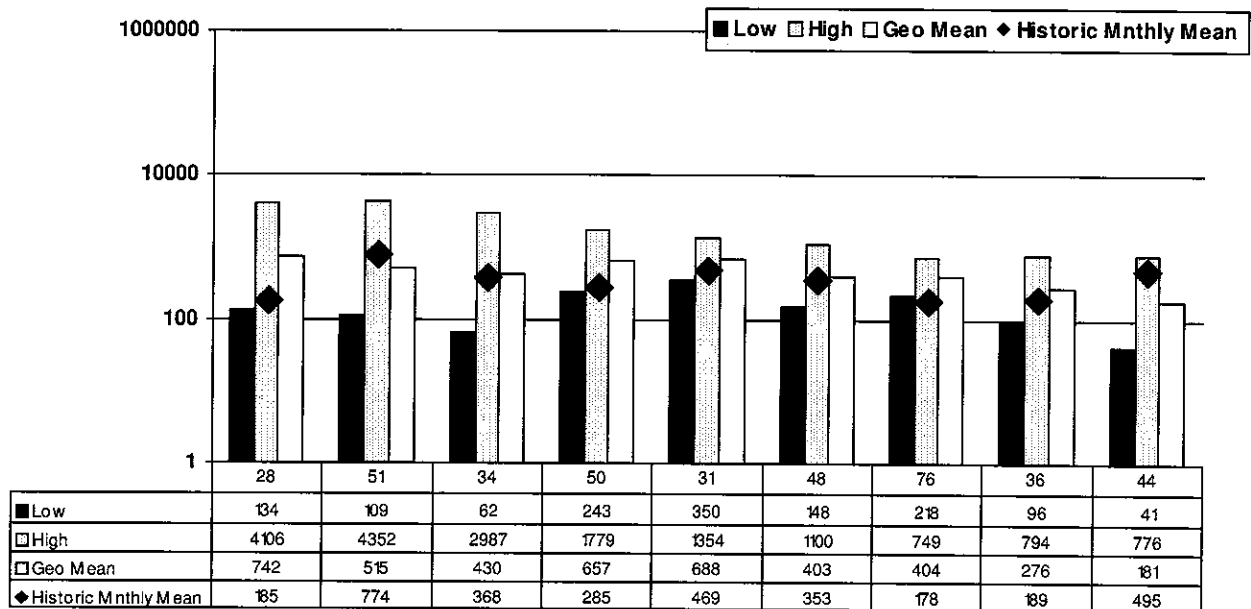


**Macomb County Health Department  
Environmental Health Services Division  
Monthly Compare Results  
1/1/2008 -1/31/2008**

**Clinton River Middle Branch Watershed**



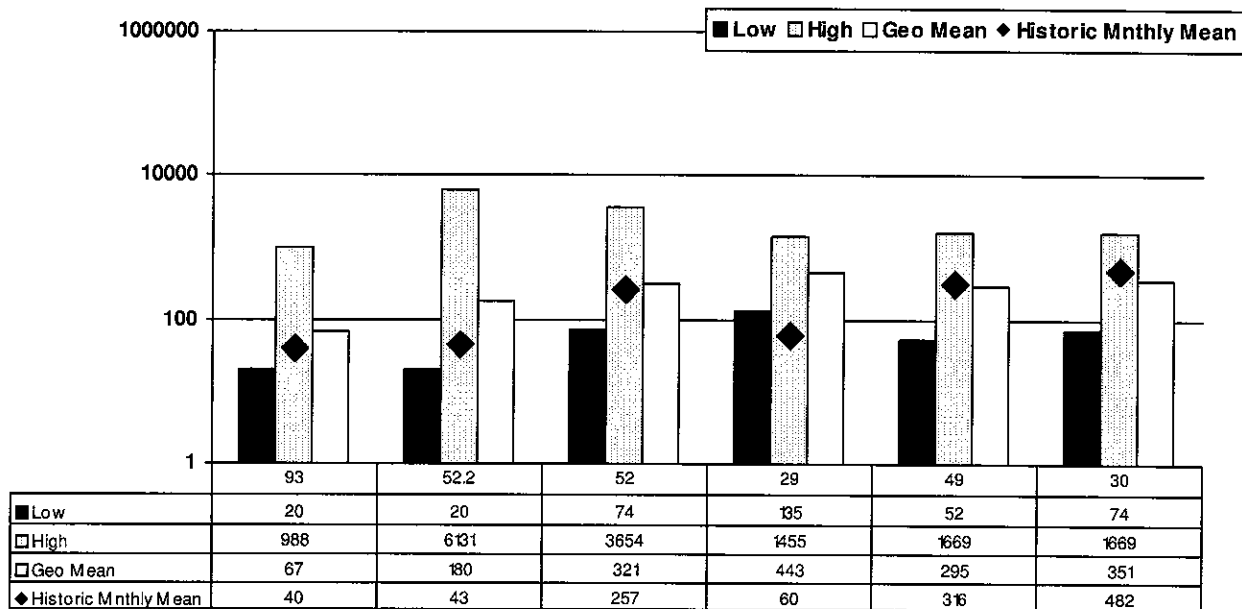
**Clinton River North Branch Watershed-EAST**



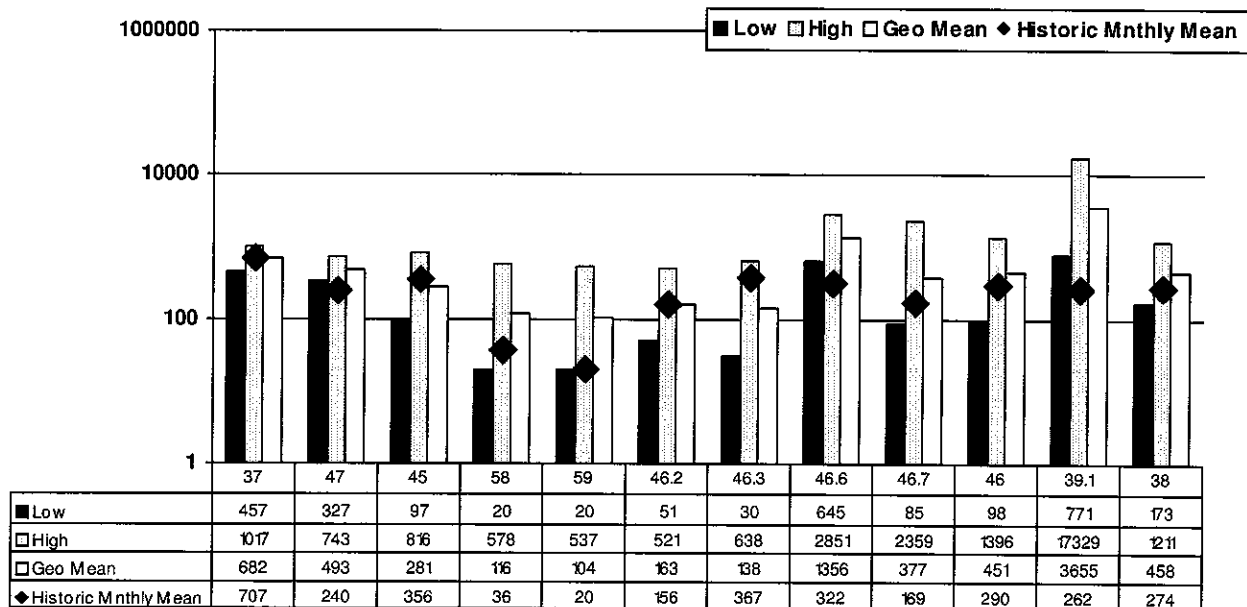


**Macomb County Health Department  
Environmental Health Services Division  
Monthly Compare Results  
1/1/2008 -1/31/2008**

**Clinton River North Branch Watershed-WEST**

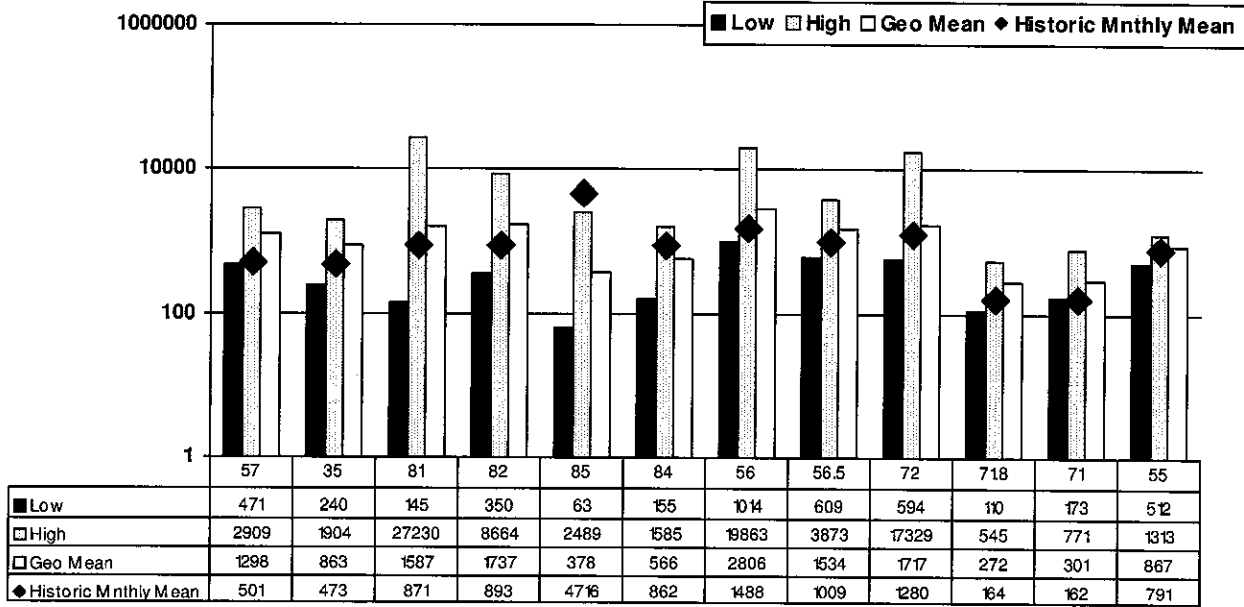


**Other: Salt River, Milk River, Crapauo Creek**



**Macomb County Health Department  
Environmental Health Services Division  
Monthly Compare Results  
1/1/2008 -1/31/2008**

**Red Run Drain/Bear Creek Watershed**



**MACOMB COUNTY HEALTH DEPARTMENT  
ENVIRONMENTAL HEALTH SERVICES DIVISION  
SURFACE WATER IMPROVEMENT AND MONITORING "SWIM" TEAM  
SURFACE WATER SAMPLING SITES**

<b>Sample #</b>	<b>Location</b>
<b>Clinton River Main Branch Watershed - EAST</b>	
68	Clinton River at Moravian Rd. Bridge
67.71	Sweeney Drain at 15 Mile Rd.
67	Harrington Drain at Harrington Rd.
96	Clinton River Spillway at Shadyside Park Bridge
83	Clinton River at Mt. Clemens YMCA Dock
40	Clinton River at I-94
95	Clinton River at Albatross Docks
41	Clinton River at DNR Site
43	Clinton River Spillway at the Weir
61.2	Clinton-Harrison Relief Drain At Shook Rd.
42	Clinton River Spillway at Jefferson Ave.
<b>Clinton River Main Branch Watershed - WEST</b>	
91	Stoney Creek at Inwood Rd.
92	Stony Creek West Branch at Stony Creek Rd.
53	Clinton River at Dequindre Rd.
54	Clinton River at Auburn Rd.
62	Clinton River at Kleino Rd.
75	Clinton River at Garfield Rd.
69	Canal Drain at Clinton River Rd.
<b>Clinton River Middle Branch Watershed</b>	
33.5	Middle Branch Clinton River at Schoenherr Rd.
77	Healy Brook Drain at Romeo Plank Rd.
33	Middle Branch Clinton River at 25 Mile Rd.
60	Middle Branch Clinton River at 21 Mile Rd.
63	Middle Branch Clinton River at Heydenreich Rd.
<b>Clinton River North Branch Watershed - EAST</b>	
51	East Branch Coon Creek at North Ave.
34	Highbank Drain at 32 Mile Rd.
50	East Branch Coon Creek at 30 Mile Rd.
31	East Branch Coon Creek at 26 Mile Rd.
48	Deer Creek at North Ave.
76	McBride Drain at Card Rd.
36	North Branch Clinton River at 21 Mile Rd.
44	North Branch Clinton River at Little St.
28	East Branch Coon Creek at Boardman Rd.
<b>Clinton River North Branch Watershed - WEST</b>	
93	East Pond Creek at 33 Mile Rd.
52.2	East Pond Creek at M-53
52	East Pond Creek at Powell St.
29	North Branch Clinton River at Boardman Rd.
49	North Branch Clinton River at 29 Mile Rd.
30	North Branch Clinton River at 26 Mile Rd.

**MACOMB COUNTY HEALTH DEPARTMENT  
ENVIRONMENTAL HEALTH SERVICES DIVISION  
SURFACE WATER IMPROVEMENT AND MONITORING "SWIM" TEAM  
SURFACE WATER SAMPLING SITES**

**Sample #**

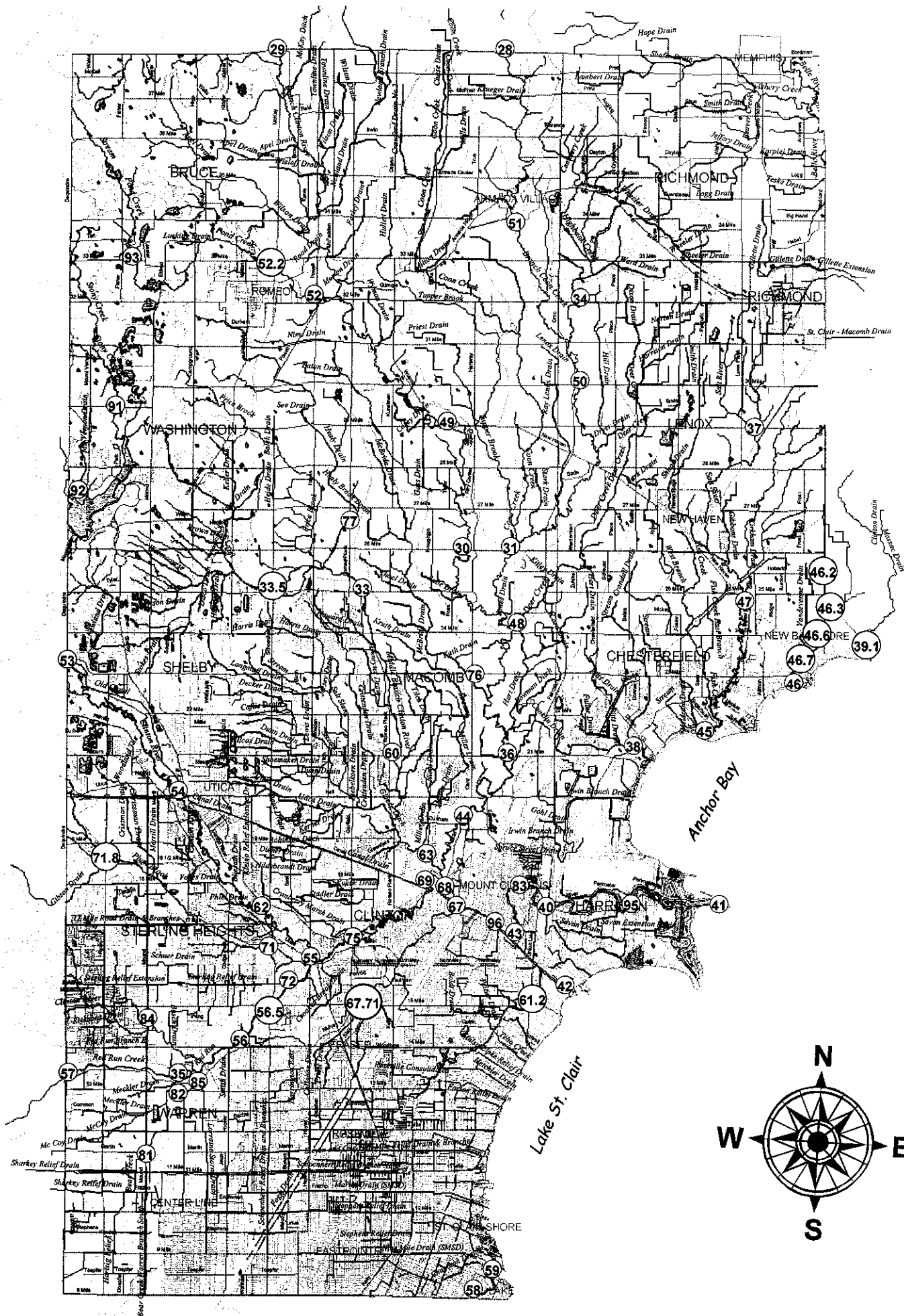
**Location**

**Other: Salt River, Milk River, Crapeau Creek**

<b>37</b>	Salt River at 29 Mile Rd.
<b>47</b>	Salt River at Washington St.
<b>45</b>	Salt River at Jefferson Ave.
<b>58</b>	Milk River at Alger St.
<b>59</b>	Milk River at Clairwood St.
<b>46.2</b>	County Line Road Drainage Ditch at Hobarth Rd.
<b>46.3</b>	Crapeau Creek at County Line Rd.
<b>46.6</b>	Vanderbenne Drain at Fox Point St.
<b>46.7</b>	Crapeau Creek at Ashley St.
<b>46</b>	Crapeau Creek at Main St.
<b>39.1</b>	Marsac Drain at M-29
<b>38</b>	River Voss at Jefferson Ave.

**Red Run Drain/Bear Creek Watershed**

<b>57</b>	Red Run Drain at Dequindre Rd.
<b>35</b>	Red Run Drain at Van Dyke Ave.
<b>81</b>	Bear Creek at Mound Rd.
<b>82</b>	Bear Creek at Old 13 Mile Rd.
<b>85</b>	Lorraine Drain at Bear Creek
<b>84</b>	Beaver Creek at Mound Rd.
<b>56</b>	.Red Run Drain at 14 Mile Rd
<b>56.5</b>	Schoenherr Relief Drain at Red Run Drain
<b>72</b>	Sterling Relief Drain behind Freedom Hill Park
<b>71.8</b>	Plumbrook Drain at Ryan Rd.
<b>71</b>	Plumbrook Drain at Schoenherr Rd.
<b>55</b>	Red Run Drain at Utica Rd.



# **RECYCLABLE PAPER**

RESOLUTION NO. \_\_\_\_\_

FULL BOARD MEETING DATE: 3/19/08

AGENDA ITEM: \_\_\_\_\_

**MACOMB COUNTY, MICHIGAN**

**RESOLUTION TO receive and file the Status Report on the Prosecutor's Environmental Unit for February 2008, as submitted by Luanne Laemmerman**

**INTRODUCED BY: Philis DeSaele, Chairman, Health Services Committee**

**COMMITTEE/MEETING DATE**  
**Health Services 3/13/08**

\_\_\_\_\_  
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## **PROSECUTOR'S ENVIRONMENTAL UNIT REPORT**

Submitted by Luanne Laemmerman

### **February 2008**

#### **CIVIL CASES:**

See table attached.

#### **CRIMINAL CASES:**

People v Michele Peter Mattera – hearing on motion for relief from judgment, February 13, 2008; motion denied.

People v Flansburgh – Preliminary exam scheduled on February 21, 2008; adjourned to March 11, 2008.

#### **MEETINGS ATTENDED ON BEHALF OF COUNTY:**

2/12/08 - Water Quality Board

2/19/08 - Meeting with MDEQ/Water Bureau regarding potential enforcement of civil cases.

2/25/08 - Blue Ribbon Commission, Audit Subcommittee

**Monthly Narrative:** Continued work with MCHD to determine status of all outstanding SWIM team cases and developed actions for appropriate personnel.

Continued work with MDEQ-OCI/Michigan Association of Chiefs of Police on statewide Environmental Awareness Training for Local Law Enforcement. Working on Environmental Prosecutor presentation for Environmental Awareness training. Presenting Environmental Prosecutor portion of Environmental Awareness presentation at special training on 3/11/08. Working with Police Academy trainers to present environmental module to cadets and to develop environmental police training on a regular basis.

Continue attendance and assistance to Water Quality Board, including drafting Model Fertilizer Ordinance.

Continue coverage at District Court/general criminal docket.

Actively participated in Blue Ribbon Commission Audit Subcommittee meetings and activities.

**Future Plan:** Continue enforcement of outstanding SWIM team cases. Continue to explore ways to facilitate transfer of cases to Environmental Prosecutor. Explore new avenue, possibly civil, to enforce wetland mitigation against defendant Mattera. Continue to pursue designation as Special Asst. Attorney General with AG's office. Personally meet with Macomb County police chiefs to encourage environmental awareness and enforcement. Meet with City/Township Attorneys to coordinate enforcement and promotion of environmental cases.



# Macomb County Health Dept/EHS Open Cases

03/04/08

Date Referred to Prosecutor	Civil Division/Street	Violation	Issue/Status
3/28/05	Clinton Twp/ Cass Avenue	Section 3.1 & 3.4 Sewage Code	Sanitary waste plumbed to storm drain discovered 1/03 through dye test. Complaint filed 12/05. Order of Consent Judgment issued 12/19/05. No compliance with Order. Owner agreed to not use building, therefore no sanitary waste discharge. Letter to owner on 10/30/07 to pursue proper connection in order to avoid enforcement of Consent Order. Second letter to owner on 11/26 to contact Clinton Twp Water & Sewer Dept by 12/7 to avoid enforcement. Owner contacted Clinton Twp as directed. <b>Continue to monitor compliance.</b>
3/10/04	Chesterfield/ 22 Mile Road	Section 3.1 & 3.4 Sewage Code	Positive dye (sewage to county drain). Complaint filed 3/18/04. No show/Bench warrant - recalled. Case dismissed by court in 2004 for lack of progress. Letter informing owner of responsibility sent 10/31/07. Owner applied for and received permit from MCHD in 12/07, but requires redesign due to house remodel. <b>Meeting with owner on 1/23/08; owner signed agreement to complete repairs by 6/15/08 and to minimize water usage.</b>
12/28/05	Fraser/ 14 Mile Rd	Section 3.1 & 3.4 Sewage Code	Failing septic system discovered during MCHD investigation. No compliance by property owner. Complaint filed 9/1/06. Order to show cause 9/25/06 - no show. Bench warrant 9/06. Numerous adjournments of hearings. Case dismissed by A. Jacklyn 6/13/07 - defendant allegedly complied with sewer connection/started work. MCHD confirmed that connection not made as of 10/24/07. House sold on 12/19/06 - no POS conducted because purchased through foreclosure. No direct discharge to storm sewer or drain. 30-day letter sent to new owner on 12/26/07; <b>no compliance, formal citation to be sent out by MCHD.</b>
2/15/06	Clinton Twp/ Elmway Rd	Section 3.1 & 3.4 Sewage Code	Illicit connection. Property transferred to new owner who paid sewer tap and frontage fees. Enforcement letters sent to property owner. Connection to sanitary sewer allegedly begun as of 7/2/07 according to A. Jacklyn. MCHD confirmed that a foundation repair permit was pulled in 3/07; home is unoccupied until foundation repaired. Certificate of occupancy to be withheld until home is connected to sanitary sewer. <b>No action until owner applies for Certificate of Occupancy from Building Dept.</b>
12/17/04	Lenox Twp/ Victoria	Section 3.1 & 3.4 Sewage Code	Failing septic field; citation 5/04. No direct threat of discharge to drain from improper septic field. No escalation of enforcement at this time. Request sent by MCPO on 11/19/07 for documentation of applications for financial assistance. <b>Follow up letter sent on 1/9/08 indicating that repairs must be complete by 6/15/08 and to minimize water usage.</b>
12/06	Washington Twp/ Wicklow Hill	Section 3.1 & 3.4 Sewage Code	Illicit connection. Enforcement letter sent 3/9/07. Hazard Abatement Affidavit extended to 6/30/07 - currently expired. [Owner] was informed that I would hold off filing a complaint if he made progress with MCHD and the installation of a new system. Owner had site consultation with MCHD on 11/21/07. Letter to owner on 12/12/07 to schedule installation of new system immediately. Follow up letter sent on 1/9/08 indicating that repairs must be complete by 6/15/08 and to minimize water usage. <b>Owner signed agreement on 1/16/08 to complete repairs by 6/15/08 and to minimize water usage.</b>
7/15/04	Lenox Twp/ 31 Mile Rd	Section 3.1 & 3.4 Sewage Code	Failing septic; citation 7/05; Consent Order 1/06 - repair to be complete by 6/06; no compliance; owner trying to get loan. Message left for owner to call Environmental Prosecutor on 10/31/07. No action by owner to date. Correspondence sent to owner on 1/8/08 to meet with MCHD and MCPO by 1/31/08 to develop schedule of compliance or enforce consent order. <b>Agreement made on 1/24/08 with owner to complete repairs by 6/15/08 and to minimize water usage.</b>

# Macomb County Health Dept/EHS Open Cases

03/04/08

Date Referred to Prosecutor	Civil Division/Street	Violation	Issue/Status
1/07	Fraser/ Duncan Rd	Section 3.1 & 3.4 Sewage Code	Illicit connection found in 2004. Citation issued 10/05; Letter sent from MCPO to owner on 3/9/07 – no compliance. Left message for owner on 10/31/07 to contact MCHD by 11/2/07 to avoid legal action. Correspondence sent to owner on 1/7/08 to immediately pursue corrections by 1/14/08. No compliance; correspondence dated 1/28/08 directing owner to correct by 2/29/08. <b>MCPO working with owner.</b>
3/07	Clinton Twp/ Little Rd	Section 3.1 & 3.4 Sewage Code	Malfunctioning septic system found 4/06. Citation sent 6/06. Hazard Abatement Affidavit necessary due to site conditions. Owner has failed to pursue final permitting. Letter sent from MCPO to owner on 3/9/07 – no compliance. Correspondence sent to owner on 1/7/08 to meet with MCHD and MCPO regarding options. <b>Agreement made on 1/24/08 with Owner to complete repairs by 6/15/08 and to minimize water usage.</b>
	Chesterfield Twp/ Fairchild	Section 3.1 & 3.4 Sewage Code	MCHD to manage file – house currently unoccupied; <b>bank informed of standing violation.</b>
8/14/07	Lenox	Section 3.1 & 3.4 Sewage Code	Failing septic; wastewater is discharging to the roadside ditch. Owner started excavating the new septic area, poor weather conditions = job stop. The area is now a pond like area, and is almost un-usable. Owner has not responded to letters regarding alternate septic installation locations. Enforcement letter sent 8/23/07. <b>MCHD confirmed that home owned by the bank; no active discharge; MCHD to send notification letter to bank of standing violation.</b>
10/4/07	Sterling Heights/ Olivewood Dr.	MCL 333.2455(1) Park St, Shelby Twp	EMRAP discovered and investigated illegal discharge of waste oil through citizen complaint. Citation sent 10/4/07 including \$750 fine. MCPO assisted EMRAP with negotiations with violator's attorney. Violator to remove and dispose of contaminated soils in exchange for reduction in fine. Soil removed on 11/19/07 and stored on site pending analytical results. Landfill approval received on 12/28/07. <b>Verification of soil disposal received 1/30/08. Case closed.</b>

**Key:** bold text indicates latest activity.

# **RECYCLABLE PAPER**

RESOLUTION NO. \_\_\_\_\_

MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Receive and file a report from Macomb County Health Department on the Animal Shelter

INTRODUCED BY: Commissioner Philis DeSaele, Chairperson, Health Services Committee

A representative from the Health Department will make a brief presentation on the role and functions of the Animal Shelter as a branch of County government.

Health Services --- March 13, 2008

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# **RECYCLABLE PAPER**

RESOLUTION NO. \_\_\_\_\_

MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Suspend the West Nile Virus Community Assistance Program

INTRODUCED BY: Commissioner Philis DeSaele, Chairperson, Health Services Committee

The Health Department recommends suspending the West Nile Virus Community Assistance Program. The program reimburses local communities for West Nile prevention activities. While the preventative measures need to continue, County funding of the local programs should not continue in light of current budget constraints.

Health Services --- March 13, 2008

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# **RECYCLABLE PAPER**

RESOLUTION NO. \_\_\_\_\_

MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Authorize the Health Department to apply for an Environmental Protection Agency grant in the amount of \$10,526.00 for the collection of unwanted household medicines and electronic waste.

INTRODUCED BY: Commissioner Philis DeSaele, Chairperson, Health Services Committee

The Macomb County Health Department requests authorization to apply for a \$10,526.00 Environmental Protection Agency grant for the collection and environmentally safe disposal/reclamation of unwanted computer components and medications. There is no in-kind match required for this grant, but we are leveraging 45% of the grant total to increase grant award prospects.

COMMITTEE/MEETING DATE

Health Services – March 13, 2008

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# **RECYCLABLE PAPER**

RESOLUTION NO. \_\_\_\_\_

MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Authorize the Health Department to apply for a Michigan Department of Environmental Quality grant in the amount of \$29,839.40 for Lake St. Clair Shoreline water quality monitoring.

INTRODUCED BY: Commissioner Philis DeSaele, Chairperson, Health Services Committee

The Macomb County Health Department requests authorization to apply for a \$29,839.40 Michigan Department of Environmental Quality grant for a Lake St. Clair Shoreline Water Quality Monitoring Project that will assess the water quality along the Lake St. Clair shoreline and its impact on four Macomb County bathing beaches. There is a 25% in-kind match required for this grant.

COMMITTEE/MEETING DATE

Health Services – March 13, 2008

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# **RECYCLABLE PAPER**

RESOLUTION NO. \_\_\_\_\_

MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Authorize the Health Department to apply for a Michigan Department of Environmental Quality grant in the amount of \$9,231.54 for inland lake beach monitoring.

INTRODUCED BY: Commissioner Phillis DeSaele, Chairperson, Health Services Committee

The Macomb County Health Department requests authorization to apply for a \$9,231.54 Michigan Department of Environmental Quality grant for inland lakes beach monitoring. This will cover monitoring at the two inland lake beaches located in Stony Creek Metropark. There is a 25% in-kind match required for this grant.

COMMITTEE/MEETING DATE

Health Services – March 13, 2008

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# **RECYCLABLE PAPER**

RESOLUTION NO. \_\_\_\_\_

MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Authorize the Health Department to apply for a Michigan Department of Environmental Quality grant in the amount of \$46,559.02 for Clinton River water monitoring.

INTRODUCED BY: Commissioner Philis DeSaele, Chairperson, Health Services Committee

The Macomb County Health Department requests authorization to apply for a \$46,559.02 Michigan Department of Environmental Quality grant for a Clinton River Expanded Monitoring Project that will provide identification and sampling of strategic sites along the Clinton River. There is a 25% in-kind match required for this grant.

COMMITTEE/MEETING DATE

Health Services – March 13, 2008

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# **RECYCLABLE PAPER**

RESOLUTION NO. \_\_\_\_\_

MEETING DATE: \_\_\_\_\_

AGENDA ITEM: \_\_\_\_\_

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: DECLARE APRIL 7-13, 2008 AS PUBLIC HEALTH WEEK IN MACOMB COUNTY AND RECOGNIZE THE EFFORTS OF THE MACOMB COUNTY HEALTH DEPARTMENT IN PREVENTING DISEASE AND PROMOTING HEALTH

INTRODUCED BY: Commissioner Philis DeSaele, Chairperson, Health Services Committee

A proposed Declaration is attached.

WHEREAS, the Macomb County Health Department and others in Macomb County's public health community are dedicated to the delivery of services in the most appropriate and efficient manner, aware of their responsibility to our most vulnerable citizens, and committed to the prevention of illness and the promotion of good health among all people; and

WHEREAS, the Macomb County Health Department has contributed significantly to the County's level of Emergency Preparedness by meeting citizen and agency requests for information and guidance; and Signed Memoranda of Understanding with all the County's cities, villages, and townships to assure their cooperation in the Cities Readiness Initiative (CRI); and

WHEREAS, the Macomb County Health Department has provided the County's citizens with significant enhancements to the Website which make it easier to use and more valuable to Macomb County residents; and

WHEREAS, Macomb County assisted eligible women to obtain reproductive health care services through the State's new Plan First! Program; and

WHEREAS, Macomb County, through maternal-child health promotion initiatives, created a 40+member Community Action/Infant Mortality Board and held bi-monthly informational meetings; and

WHEREAS, the Macomb County Health Department Received an award from the Michigan Department of Community Health for excellent accomplishment in educating WIC recipients on how to incorporate more fruits and vegetables in the diets of their families; and

WHEREAS, the Macomb County Health Department fully implemented a School Immunization Waiver Database to ensure accurate follow-up and retrieval of immunization waiver information to support vaccine preventable disease investigations in school, pre-schools and childcare centers; and

WHEREAS, the Macomb County Health Department, through its Cardiovascular Disease Risk Reduction Program, responded to the increase in childhood obesity and other chronic conditions by conducting the Health Kids – Healthy Hearts Program, teaching elementary school children the vital healthy lifestyle habits of being physically active, eating healthy, and staying tobacco-free; and



WHEREAS, Macomb County, through the Healthy Kids – Healthy Futures Coalition, promotes healthy choices and behaviors among Macomb County children which will impact the incidence of chronic diseases by supporting a yearly “Fun and Fitness Day” for families to encourage physical activity and healthy nutrition and by sponsoring one, two and three-mile walks on marked trails, and provides nutrition information from a pediatrician; and

WHEREAS, Macomb County, through the Macomb County Tobacco Prevention Coalition, educates young people about the dangers of using tobacco, encourages smoking cessation for all age groups, and advocates for clean indoor air in all settings, published and distributed the Progress Report of the Macomb County Tobacco Prevention Coalition; and

WHEREAS, the Macomb County Health Department, through the Regulations Governing Food Safety Training for Food Service Establishments, adopted by the Macomb County Board of Commissioners, provided food sanitation training; and

WHEREAS, the Macomb County Health Department conducted over 2,500 services to improve and protect the community health safety through encephalitis surveillance, sanitation and safety inspections at recreational facilities, and pest complaint investigations; and

WHEREAS, the Macomb County Health Department continued working to accomplish the goals of the St. Clair River - Lake St. Clair Drinking Water Protection Project. With core funding of \$1 million from the United States EPA, and matching funds of approximately \$800,000 from Macomb and St. Clair Counties and nine involved communities, real-time water sampling, monitoring, and notification equipment has been installed at nine drinking water treatment plants located along a corridor from Port Huron to Mt. Clemens; and

WHEREAS, the Macomb County Health Department processed nearly 800 evaluations of onsite sewage disposal and water supply systems at the time of property transfer to ensure they are functioning correctly. Certified contractors who have completed coursework instructed by department staff conducted these evaluations; and

WHEREAS, the Macomb County Health Department in April, partnered with the Sheriff's Department and the Department of Senior Citizen Services to carry out collection of unwanted medications as an adjunct activity to the annual “Senior Shred-it Day” where senior citizens bring in documents for shredding and disposal; and

WHEREAS, the Macomb County Health Department occupied, opened, and began providing service at the County's beautiful new Medical Examiner Facility.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS, SPEAKING FOR AND ON BEHALF OF ALL COUNTY CITIZENS AS FOLLOWS:

That By These Presents, The Macomb County Board of Commissioners hereby proclaim April 7 - 13, 2007 as PUBLIC HEALTH WEEK in Macomb County, and strongly urge all government, educational, scientific, medical and business officials to recognize and celebrate the great dedication, collaboration, and accomplishments of the Macomb County Health Department, and Macomb County's public health community.

Health Services                    ---    March 13, 2008

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